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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHARLES ISELEY

Plaintiff,

v.

W. CONWAY BUSHEY, et al.,
Defendants.

JUDGE'S COPY

Civil Action No.

No. 3:00-CV-00577

FILED
HARRISBURG, PA

NOV 02 2001

MARY E. D'ANDREA, CLERK
~~DEPUTY CLERK~~

DECLARATION IN REPLY TO DEFENDANT'S
OPPOSITION TO PLAINTIFF'S MOTION

FOR ENLARGEMENT OF TIME:

I, Charles Isley, hereby declare under the penalty of perjury that the following is true and correct:

1. I have been denied treatment for hepatitis C since 1998, because, pursuant to DOC policy I am not permitted to receive treatment for same or its symptoms. I attempted to get treatment for years, to no avail. I am dying and there is nothing to do to get treatment. I filed a civil action concerning same in the middle district court and Judge Kane was the judge. The case was voluntarily dismissed because prison officials "lost" all my legal material and I had no copies of the numerous prison grievances I filed to prove I exhausted the grievance system and Judge Kane refused to allow me access to discovery to obtain the relevant copies to prove I exhausted the grievance procedure. I also filed a grievance at Huntingdon state prison (#0360-0).

2. My symptoms include, then and now: nausea, vomiting, abdominal pain, muscle pain, joint pain, migraine headaches, excessive fatigue, mental confusion, weakness.

3. I have been working on filing a petition in state court for about a year now. Hopefully, I can be done in a month or so. I have never refused any treatment for hepatitis.

4. The HIV handbook for Huntingdon state prison is not valid. The rules were changed or were never implemented in the first place.

5. There is no mini law library at Huntingdon state prison. Every 3-6 weeks, if requested, one or two available books are brought to my cell. The books come from the list via DOC policy - not the handbook. Even so, even on that list there are no digests concerning convicts, prisons, parole, prisoners, etc., which are issues in this case. There are no Shepard's Citors. We are not allowed books from the main law library; only 6 copies of properly cited cases. The new request form, attached, does not permit cases to be shepardized, unlike the one in the handbook.

6. Although, according to policy, I am supposed to be allowed to get legal material out of my property, it is never done. In fact, a new policy was just issued, attached, and I am waiting to see if they will follow it.

7. The KHV handbook is void. For example, it permits me to receive publications in the mail (see attached redacted copy) but DOC policy did not until the new policy (attached) so I never could get publications. See Iseley v. Beard, No. 353 M.A. 2001 Commonwealth Court.

8. The only way I get legal research stuff is by mailing stuff out and asking my Father to go to the law library and send me copies of stuff. However, the prison officials have informed me that I am not allowed to receive photocopies of any parts of a book but must purchase the book. and here it mailed to me but I do not have thousands of dollars to buy law books.

9. I am sick and in pain and am dying. I do not and have not had access to my legal material or adequate law library. The defendants are deliberately and blatantly lying to the court (e.g., there is no mini law library: One was supposed to be made but never was).

9. I cannot do anything until Lewis arranges for me to have access to my legal property

Date: Oct 25, 2001

Charles Iseley
Charles Iseley

COMPREHENSIVE PAGING SYSTEM REQUEST FORM
SCI-H LIBRARY

INMATE NAME: _____ DATE: _____

INMATE NUMBER: _____ BLOCK, CELL & QUAD: _____

- All requests must contain the full citation including case name, or it will be returned to you unprocessed.
- The below listed materials must be returned to the SCI-H library in original condition or you will be subjected to a Class I misconduct and/or assessment of costs.
- The materials are due by _____ to avoid penalties/fines.

LEGAL MATERIALS REQUESTED: (PLEASE PRINT LEGIBLY)

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

ALTERNATES:

1. _____
2. _____
3. _____

CIRCLE LINE NUMBERS OF CASES YOU WANT SHEPARDIZED.

STAFF MEMBERS RESPONSE:

DATE RECEIVED: _____ DATE DELIVERED: _____

STAFF SIGNATURE: _____

INMATE SIGNATURE: _____

		BULLETIN Commonwealth of Pennsylvania • Department of Corrections	
To: Executive Staff Superintendents Boot Camp Commander Regional Directors		Policy Subject: Administrative Custody Procedures	
		Policy Number: DC-ADM 802-10	
		Policy Issue Date: June 29, 1992	
Date of Issue: October 4, 2001	Authority:  Jeffrey A. Beard, Ph.D.	Effective Date: October 5, 2001	

The purpose of this bulletin is to amend **Section IV, M. Administrative Custody Housing Status, Subsections 4 and 5.**

This subsection is now to read:

4. AC status inmates shall be permitted to maintain in their cells any combination of personal property from the following list that will fit into one standard-sized, records-center box:
 - a. Written materials in accordance with DC-ADM 803, "Inmate Mail and Incoming Publications";
 - b. One newspaper (one-for-one exchanges are permitted for newly received editions);
 - c. Ten magazines (one-for-one exchanges are permitted for newly received publications).
5. Inmates will be provided access to the facility law library by requesting legal materials in accordance with local procedures. Leisure reading material may be requested on a weekly basis from the library.

Additionally, each facility will establish procedures to permit inmates to exchange **legal materials** from their cells with stored **legal materials** once every 30 days. The Program Review Committee may authorize more frequent exchanges based upon a demonstrated need that the inmate requires additional exchanges for active litigation. Such legal material exchanges, however, may not exceed one per week.

Capital Case inmates will be permitted to retain any combination of written materials and commissary items that will fit into the cell's storage cabinet and either two standard-sized, records-center boxes or one footlocker. If the Capital Case cell is not equipped with a storage cabinet, the inmate may retain two records-center boxes and one footlocker.

G. • Mail and Incoming Publications

- a. All mail for RHU inmates shall be handled in accordance with DC-ADM 803, "Inmate Mail and Incoming Publications" and incoming mail shall be delivered daily, Monday through Saturday, except holidays, and distributed by the officers assigned to the Unit.
- b. Legal briefs/documents in book-style or bound-type shall not be issued to inmates. In the event that a book-style or bound-type document is discovered in an inmate's legal mail, the officer is to examine the item for contraband. If the binding is of a type that is easily removed (i.e., binder clips, metal book rings, bankers clasp, single/two piece prong type paper fasteners, etc.) the officer shall remove the binding and issue the document. If the document is of a book style, with a glue type binding, the inmate shall be given the following options:
 - i. Not accepting the item. If the item is not accepted, the inmate shall indicate if it is to be destroyed or mailed out of the facility at the inmate's expense.
 - ii. Allowing the officer to disassemble the document.
 - iii. Having the item returned to the mailroom so the binding can be removed.
 1. The option chosen by the inmate shall be documented on DC-710, Book Style or Bound Type Document Form.
- c. Regular mail received via the mailroom has already been inspected for contraband. This mail shall be delivered to the inmates in the manner in which it is received from the mailroom.
- d. Mail of a suspicious nature or that is believed to contain contraband shall be withheld from the inmate and delivered to the Security Office for review. In such cases, the inmate shall be issued a DC-154A, "Confiscated Items Receipt."
- e. All inmates shall receive ten free postage paid envelopes per month. The 10-6 Shift will issue the envelopes on the last day of every month.
- f. Outgoing mail must be placed in the mailbox provided on the unit. The mail shall be picked up daily, Monday through Friday. No mail shall be picked up on weekends or holidays.

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CERTIFICATE OF SERVICE

I hereby certify that I caused to be served the foregoing Declaration in Reply to Defendants' Opposition to Plaintiff's Motion for Enlargement of Time by mailing a true copy of same to:

Maryanne Lewis, day
Office of Atty. Gen.
15th Flcor, Strawberry Sq.
Harrisburg, PA 17120

Oct.
Date: Sept. 25, 2001

Charles Isseley
Charles Isseley